

## DAFTAR PUSTAKA

- Abbas, Muhammad Z. "World Trade Organization's Export-Oriented Compulsory Licensing Mechanism: Foreseen Policy Concern for Africa to Mitigate the COVID-19 Pandemic." *Journal of Generic Medicines: The Business Journal for the Generic Medicines Sector* 17, no. 2 (June 2021). <https://doi.org/10.1177/17411343211010205>.
- Abbas, Muhammad Zaheer. "Parallel Importation as a Policy Option to Reduce Price of Patented Health Technologies." *Journal of Generic Medicines: The Business Journal for the Generic Medicines Sector* 17, no. 4 (December 2021). <https://doi.org/10.1177/1741134321999418>.
- Amnesty International. "Briefing for WTO Member States of the TRIPS Waiver Proposal for the Prevention, Containment and Treatment." Diakses November 19, 2020. <https://www.amnesty.org/en/documents/ior40/3365/2020/en/>.
- Amnesty International. "USA: Support for intellectual property protection waiver for COVID-19 vaccines must spur more countries into action." Amnesty International. Terakhir diubah May 5, 2021. <https://www.amnesty.org/en/latest/press-release/2021/05/us-support-intellectual-property-protection-waiver-covid19-vaccines/>.
- Amnesty International. "USA: Support for intellectual property protection waiver for COVID-19 vaccines must spur more countries into action." Terakhir diubah May 5, 2021. <https://www.amnesty.org/en/latest/press-release/2021/05/us-support-intellectual-property-protection-waiver-covid19-vaccines/>.
- Ban, Ki-Moon. "India, South Africa Must Not Accept Half-Measures by the West When Lives Are on Line During Covid-19 Pandemic." *Times of India*, March 24, 2022. <https://timesofindia.indiatimes.com/blogs/toi-edit-page/india-south-africa-must-not-accept-half-measures-by-the-west-when-lives-are-on-line-during-covid-19-pandemic/>.

Boseley, Sarah. "The killer diseases that target the poor." *The Guardian*, August 22, 2002.

<https://www.theguardian.com/environment/2002/aug/22/worldsummit2002.earth5>.

Carnevale, Pater J.D., dan Edward J. Lawler. "Time Pressure and the Development of Integrative Agreements in Bilateral Negotiations." *The Journal of Conflict Resolution* 30, no. 4 (December 1986).

Chaudhury, Dipanjan Roy. "India and US discuss revised proposal for TRIPS vaccine waiver." Terakhir diperbarui May 6, 2021. <https://economictimes.indiatimes.com/news/india/india-and-us-discuss-revised-proposal-for-trips-vaccine-waiver/articleshow/82666745.cms>.

Correa, Carlos M., dan Reto M. Hilty, eds. *Access to Medicines and Vaccines: Implementing Flexibilities Under Intellectual Property Law*. Cham: Springer International Publishing, 2022.

Devarakonda, Ravi Kanth. "TRIPS Waiver: How India Abandoned its Own WTO Proposal." *THE WIRE*, June 15, 2022. <https://thewire.in/health/trips-waiver-how-india-abandoned-its-own-wto-proposal>.

Drahos, Peter. "Four lessons for developing countries from the trade negotiations over access to medicines." *Liverpool Law Review*, no. 28 (2007). DOI 10.1007/s10991-007-9014-5.

Drahos, Peter. "When the Weak Bargain with the Strong: Negotiations in the World Trade Organization." *International Negotiation* 8, no. 1 (2003). <https://dx.doi.org/10.2139/ssrn.418480>.

Furlong, Ashleigh, Sarah Anne Aarup, dan Samuel Horti, "Who killed the COVID vaccine waiver?" *POLITICO*, November 10, 2022. <https://www.politico.eu/article/covid-vaccine-poor-countries-waiver-killed/>.

Ghosh, Shubha, dan Irene Calboli. *Exhausting Intellectual Property Rights: A Comparative Law and Policy Analysis*, 1st ed. Cambridge University Press, 2018. <https://doi.org/10.1017/9781316336243>.

- IFPMA. “Voluntary licenses and non-assert declarations.” Diunggah July 28, 2010, <https://ifpma.org/news/voluntary-licenses-and-non-assert-declarations/>.
- Krueger, Anne. “The Developing Countries and the Next Round of Multilateral Trade Negotiations,” *The World Economy* 22, no. 7 (September 1999). <https://doi.org/10.1111/1467-9701.00238>.
- Labonte, Ronald, dan Mira Johri. “COVID-19 drug and vaccine patents are putting profit before people.” *The Conversation*, November 6, 2020. <https://theconversation.com/covid-19-drug-and-vaccine-patents-are-putting-profit-before-people-149270>.
- Law, Andrew. *Patents and Public Health: Legalising the Policy Thoughts in the Doha TRIPS Declaration of 14 November 2001*. Washington DC: Nomos Verlagsgesellschaft, 2008.
- Lemmens, Trudo, Kanksha Mahadevia Ghimire, Katrina Perehudoff, dan Navindra Persaud. *The Social Contract and Human Rights Bases for Promoting Access to Effective, Novel, High-Priced Medicines*. Copenhagen: WHO Regional Office for Europe, 2022. <https://pubmed.ncbi.nlm.nih.gov/36542741/>.
- Médecins Sans Frontières Access Campaign. “3 reasons why the EU’s TRIPS Waiver counter-proposal is an insufficient solution in a pandemic.” Diunggah June 18, 2021. <https://msfaccess.org/3-reasons-why-eus-trips-waiver-counter-proposal-insufficient-solution-pandemic>.
- Médecins Sans Frontières. “Civil Society Letter Supporting Proposal by India and South Africa on Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19.” Dipublikasi October 15, 2020, <https://msfaccess.org/civil-society-wto-members-support-india-and-south-africas-proposal-waiver-ip-protections-covid-19>.
- Médecins Sans Frontières. “Compulsory Licenses, the TRIPS Waiver and Access to COVID-19 Medical Technologies.” *MSF Briefing Document*, May 2021.
- Médecins Sans Frontières. “MSF response to WTO TRIPS Council moving toward text-based negotiations on the ‘TRIPS waiver’ proposal.” Terakhir diubah May 2, 2023. <https://www.doctorswithoutborders.ca/msf-response-to-wto->

[trips-council-moving-toward-text-based-negotiations-on-the-trips-waiver-proposal/](#).

Mikulic, Matej. “Pharmaceutical industry in Europe – Statistics & Facts.” Diunggah May 5, 2023. <https://www.statista.com/topics/8631/pharmaceutical-industry-in-europe/#topicOverview>.

Mohamadieh, Kinda. “Exclusionary unrepresentative processes behind the celebrated MC12 ‘Package’.” *Third World Network*, June 20, 2022. <https://twon.my/title2/wto.info/2022/ti220625.htm>.

Narlikar, Amrita, M. J. Dauton, dan Robert M. Stern, eds. *The Oxford Handbook on the World Trade Organization*. New York: Oxford University Press, USA, 2012.

Nikolskaya, Polina. “Russian firm awaits government approval to ship remdesivir to India.” *Reuters*, April 26, 2021. <https://www.reuters.com/world/india/russias-pharmasyntez-ready-ship-1-mln-packs-remdesivir-india-2021-04-26/>.

Odell, John S., ed. *Negotiating Trade Developing Countries in the WTO and NAFTA*. Cambridge: Cambridge University Press, 2006.

Patnaik, Priti. “Have India and South Africa, Lead Sponsors of the TRIPS Waiver Proposal, Reconciled to a Weak Text?” *The WIRE*, June 10, 2022. <https://thewire.in/trade/have-india-and-south-africa-lead-sponsors-of-the-trips-waiver-proposal-reconciled-to-a-weak-text>.

Patnaik, Priti. “What the TRIPS Waiver Discussions at the WTO Tell Us About Indian Diplomacy.” *The WIRE*, June 23, 2022. <https://thewire.in/diplomacy/trips-waiver-indian-diplomacy>.

Permanent Mission of India Geneva. “Agenda Item 15 Proposal for a waiver from certain provisions of TRIPS Agreement for the prevention, containment and treatment of COVID-19 Document IP/CW/669 (Communication from India and South Africa).” Diakses June 15, 2023. [https://pmindiaun.gov.in/public\\_files/assets/pdf/TRIPS\\_Agreemnet.pdf](https://pmindiaun.gov.in/public_files/assets/pdf/TRIPS_Agreemnet.pdf).

Permanent Mission of India Geneva. “India’s Statement delivered by Shri Brajendra Navnit Ambassador & PR at the General Council Meeting held

on 1 March 2021.” Diunggah March 1, 2021.  
<https://pmindiaun.gov.in/pages/MjQxOA>.

Permanent Mission of India Geneva. “Indian intervention on TRIPS Waiver delivered at TRIPS Council meeting on 10 December 2020.” Diunggah December 10, 2020. <https://pmindiaun.gov.in/statements/MjMlOA>.

Permanent Mission of India Geneva. “Statement of India delivered by Ambassador & PR to the WTO at the Informal TNC/HODs meeting held on 12 October 2020.” Terakhir diubah October 12, 2020.  
<https://pmindiaun.gov.in/pages/MjMyNA>.

PIB Delhi. “Thematic Session Statement of Shri Piyush Goyal during the 12th Ministerial Conference of the WTO on ‘WTO Response to the Pandemic.’” *Ministry of Commerce & Industry*, June 13, 2022.  
<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1833649>.

Pochart, Francois, Mathilde Rauline, dan Océane de La Verteille (August Debouzy). “Compulsory licenses granted by public authorities: an application in the Covid-19 crisis in France?” *Kluwer Patent Blog*, April 23, 2020. <http://patentblog.kluweriplaw.com/2020/04/23/compulsory-licenses-granted-by-public-authorities-an-application-in-the-covid-19-crisis-in-france-part-1/>.

Pruitt, Dean G., dan Peter J. Carnevale. *Negotiation in Social Conflict*. Pacific Grove, California: Brooks/Cole Publishing Company, 1993.

Public Citizen. “U.S. Senators and Representatives Join Civil Society Leaders Delivering Two Million Petitions to Urge Biden: Support COVID-19 WTO Waiver.” Diunggah April 23, 2021. <https://www.citizen.org/news/u-s-senators-and-representatives-join-civil-society-leaders-delivering-two-million-petitions-to-urge-biden-support-covid-19-wto-waiver-to-hasten-the-pandemics-end-secure-administration/>.

Reichman, Jerome H. “Comment: Compulsory Licensing of Patented Pharmaceutical Inventions: Evaluating the Options.” *Journal of Law, Medicine & Ethics* 37, no. 2 (2009): 247–63. <https://doi.org/10.1111/j.1748-720X.2009.00369.x>.

Sanders, Bernie. “Senators Urge Biden to Approve Vaccine Patent Waiver to Boost Production and End Pandemic.” Diunggah April 17, 2021. <https://www.sanders.senate.gov/press-releases/news-senators-urge-biden-to-approve-vaccine-patent-waiver-to-boost-production-and-end-pandemic/>.

Schovsbo, Jens, ed. *TIMES OF CRISIS: LESSONS LEARNED FROM THE COVID-19 PANDEMIC*. Edward Elgar Publishing, 2022.

Silverman, Ed. “Gilead sues Russia over a compulsory licenses issued to a company making remdesivir.” *STAT*, May 4, 2021. <https://www.statnews.com/pharmalot/2021/05/04/gilead-sues-russia-over-a-compulsory-license-issued-to-a-company-making-remdesivir/>.

Stiglitz, Joseph, dan Lori Wallach. “The International Community Must Prioritize COVID Treatment and Test Access.” *Scientific American*, November 14, 2022. <https://www.scientificamerican.com/article/the-international-community-must-prioritize-covid-treatment-and-test-access/>.

Suneja, Kirtika. “TRIPS waiver: 30 members begin text-based talks, but differences remain.” *The Economic Times*, May 20, 2022. <https://economictimes.indiatimes.com/industry/healthcare/biotech/healthcare/trips-waiver-30-members-begin-text-based-talks-but-differences-remain/articleshow/91673184.cms>.

Thambisetty, Siva, Aisling McMahon, Luke McDonagh, Hyo Yoon Kang, dan Graham Dutfield. “The TRIPS Intellectual Property Waiver Proposal: Creating the Right Incentives in Patent Law and Politics to End the COVID-19 Pandemic.” *SSRN Electronic Journal*, 2021. <https://doi.org/10.2139/ssrn.3851737>.

Thambisetty, Siva, Aisling McMahon, Luke McDonagh, Hyo Yoon Kang, dan Graham Dutfield. “Addressing vaccine inequity during the COVID-19 pandemic: the TRIPS intellectual property waiver proposal and beyond.” *Cambridge Law Journal* 81, no. 2 (July 2022). doi:10.1017/S0008197322000241.

The Economic Times. “Diplomats from India, South Africa work together in US on TRIPS waiver to COVID-19 vaccines.” Terakhir diperbarui May 4, 2021.  
<https://economictimes.indiatimes.com/news/india/diplomats-from-india-south-africa-work-together-in-us-on-trips-waiver-to-covid-19-vaccines/articleshow/82383086.cms>.

The Economic Times. “TRIPS waiver agreed in WTO to help developing countries make Covid vaccines: Piyush Goyal.” Terakhir diubah June 21, 2022,  
<https://economictimes.indiatimes.com/news/economy/foreign-trade/trips-waiver-agreed-in-wto-to-help-developing-countries-make-covid-vaccines-piyush-goyal/articleshow/92341555.cms?from=mdr>.

The Economic Times. “US remains non-committal on India’s move to get TRIPS waiver to COVID vacciness at WTO.” Terakhir diperbarui April 15, 2021.  
[https://economictimes.indiatimes.com/news/economy/foreign-trade/us-remains-non-committal-on-indias-move-to-get-trips-waiver-to-covid-vaccines-at-wto/articleshow/82079443.cms?utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](https://economictimes.indiatimes.com/news/economy/foreign-trade/us-remains-non-committal-on-indias-move-to-get-trips-waiver-to-covid-vaccines-at-wto/articleshow/82079443.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst).

Third World Network. “Civil society letter supporting proposal by India and South African waiver from certain provision of the TRIPS Agreement for the prevention, containment and treatment of COVID-19.” Diakses July 17, 2023.  
[https://www.twn.my/announcement/signonletter/CSOLetter\\_SupportingWaiverFinal.pdf](https://www.twn.my/announcement/signonletter/CSOLetter_SupportingWaiverFinal.pdf).

Third World Network. “Global South urges rich countries: Lift monopolies on COVID-19 medical products,” Diunggah February 16, 2021,  
[https://www.twn.my/title2/CSO\\_Letters/TRIPSWaiver\\_PressRelease\\_16Feb21.pdf](https://www.twn.my/title2/CSO_Letters/TRIPSWaiver_PressRelease_16Feb21.pdf).

Third World Network. “High Level Dialogue TRIPS Waiver: If Not Now, Then When?” Direkam pada May 4, 2021 oleh Third World Network Video, 1:09:28.



[https://www.twn.my/title2/intellectual\\_property/trips\\_waiver\\_proposal/TRIPS%20videofinal.mp4](https://www.twn.my/title2/intellectual_property/trips_waiver_proposal/TRIPS%20videofinal.mp4).

Third World Network. "TWN Info Service on Intellectual Property Issues (Nov20/08)." Diunggah November 2, 2020. [https://www.twn.my/title2/intellectual\\_property/info.service/2020/ip201108.htm](https://www.twn.my/title2/intellectual_property/info.service/2020/ip201108.htm).

United States Trade Representative. "Readout of Ambassador Katherine Tai's Virtual Meeting With India Minister of Commerce and Industry Piyush Goyal." Diunggah May 14, 2021. <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2021/may/readout-ambassador-katherine-tai-virtual-meeting-india-minister-commerce-and-industry-piyush-goyal>.

United States Trade Representative. "Statement from Ambassador Katherine Tai on the Covid-19 Trips Waiver." Diunggah May 5, 2021. <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2021/may/statement-ambassador-katherine-tai-covid-19-trips-waiver>.

Watal, Jayashree, dan Antony Taubman, eds. *The Making of the TRIPS Agreement: Personal Insights from the Uruguay Round Negotiations*. Geneva, Switzerland: World Trade Organization, 2015.

Wemos. "EU proposal to the World Trade Organization," Terakhir diperbarui February 1, 2022. <https://covid19response.org/eu-proposal-to-the-wto/>.

Winanti, Poppy Sulistyanning. "External Pressure or Domestic Politics: Explaining Change in Developing Countries' Intellectual Property Legislation." PhD diss., University of Glasgow, 2011.

Wong, Hilary. "The case for compulsory licensing during COVID-19," *Journal of global health* 10, no. 1. doi: 10.7189/jogh.10.010358.

World Health Organization. "Access to COVID-19 Tools Accelerator commitments reach US\$ 5.1billion following new contributions, including at Paris Peace Forum." Diunggah November 13, 2020. <https://www.who.int/news/item/13-11-2020-access-to-covid-19-tools>.



accelerator-commitments-reach-us-5.1billion-following-new-contributions-including-at-paris-peace-forum.

World Health Organization. “WHO Coronavirus (COVID-19) Dashboard,” Diakses July 17, 2023. <https://covid19.who.int/>.

World Trade Organization. “Agreement on Trade-Related Aspects of Intellectual Property Rights as Amended by the 2005 Protocol Amending the TRIPS Agreement.” [https://www.wto.org/english/docs\\_e/legal\\_e/trips\\_e.htm#part2](https://www.wto.org/english/docs_e/legal_e/trips_e.htm#part2).

World Trade Organization. “Annex 1C Marrakesh Agreement Establishing the World Trade Organization, 1994.” Diakses May 19, 2023. [https://www.wto.org/english/docs\\_e/legal\\_e/27-trips\\_01\\_e.htm](https://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm).

World Trade Organization. “Compulsory licensing of pharmaceuticals and TRIPS.” Diakses May 20, 2023. [https://www.wto.org/english/tratop\\_e/trips\\_e/public\\_health\\_faq\\_e.htm](https://www.wto.org/english/tratop_e/trips_e/public_health_faq_e.htm).

World Trade Organization. “Quad’s outcome document on IP COVID-19 response made public,” Dipublikasikan May 3, 2022. [https://www.wto.org/english/news\\_e/news22\\_e/trip\\_03may22\\_e.htm](https://www.wto.org/english/news_e/news22_e/trip_03may22_e.htm).

World Trade Organization. “WTO-IMF COVID-19 Vaccine Trade Tracker.” [https://www.wto.org/english/tratop\\_e/covid19\\_e/vaccine\\_trade\\_tracker\\_e.htm](https://www.wto.org/english/tratop_e/covid19_e/vaccine_trade_tracker_e.htm).

World Trade Organization. *Declaration on the TRIPS Agreement and Public Health WT/MIN(01)/DEC/2*. Diunggah November 20, 2001.

World Trade Organization. *Declaration on the TRIPS Agreement and Public Health (14 November 2001), WT/MIN (01)/DEC/2*. Diunggah November 20, 2001.

World Trade Organization. *Ministerial Decision on TRIPS Agreement WT/MIN(22)/30; WT/L/1441*. Diunggah June 22, 2022.

World Trade Organization. *Minutes of Meeting Held in the Centre William Rappard on 20 July 2021 IP/C/M/101/Add.1*. Diunggah January 18, 2022.

World Trade Organization. *Waiver from certain provision of the TRIPS Agreement for the prevention, containment and treatment of COVID-19 IP/C/W/669/Rev.1*. Diunggah May 25, 2021.

World Trade Organization. *Waiver from certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID-19 IP/C/W/669.*

Diunggah October 2, 2020.

World Trade Organization. *Waiver from Certain Provisions of TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19 – Responses to Questions IP/C/W/672.* Diunggah January 15, 2021.

Wu, Xiaoping, dan Bassam Peter Khazin. “Patent-related Actions Taken in WTO Members in response to the COVID-19 Pandemic.” *WTO Staff Working Paper ERSD-2020-12*, (October 2020).